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Attorneys for Elissa D. Miller,
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re

GIRARDI KEESE,

Debtor.

Case No. 2:20-bk-21022-BR

Chapter 7

**STIPULATION AUTHORIZING THE
RELEASE OF DISPUTED COSTS TO
CLIENTS**

[No Hearing Required]

TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY JUDGE:

Elissa D. Miller, the chapter 7 trustee of the bankruptcy estate of Girardi Keese (the "Trustee"), by and through her attorneys, and Gabriel and Maria Abikzer (the "Clients"), through their attorneys, enter into this *Stipulation Authorizing the Release of Disputed Costs to Clients* (the "Stipulation") as follows:

RECITALS

A. On December 18, 2020 (the "Petition Date"), an involuntary chapter 7 bankruptcy petition ("Petition") was filed against Girardi Keese ("Debtor"). As of the filing of the involuntary petition, Debtor was counsel of record in a significant number of matters which were undertaken on a contingency basis.

1 B. The petitioning creditors moved for the appointment of an interim trustee
2 which was granted by the Court by order entered January 5, 2021. The Trustee was
3 appointed as the interim chapter 7 trustee on January 6, 2021. The order for relief was
4 entered January 13, 2021 and, the same date, the Trustee was reappointed and has
5 been serving in that capacity since.

6 C. On May 18, 2018, the Debtor commenced an action in the Los Angeles
7 County Superior Court, Case No. BC706830, on behalf of the Clients against the City of
8 Los Angeles and Jeffrey Joel (the "Superior Court Case"). The Superior Court Case was
9 subsequently settled in favor of the Clients for \$23,000,000.00 (the "Settlement Amount").
10 The Settlement Amount is being paid in two installments, with the first installment already
11 having been paid and the second installment due in July of 2021.

12 D. On January 1, 2021, the Trustee and the Clients entered into a *Stipulation*
13 *Authorizing Settlement Payment to Client and Payment of Expenses to the Estate*
14 [Docket No. 116] (the "Distribution Stipulation"), which set forth the allocation of the
15 installment payments between the Clients and the Debtor. The Distribution Stipulation
16 was approved by order entered January 26, 2021 [Docket No. 124].

17 E. Pursuant to the Disbursement Stipulation, the Clients and the Trustee
18 agreed that \$229,663.00 of the first installment would be reserved and held in trust by the
19 Trustee pending resolution of a dispute between the Clients and the Debtor regarding the
20 reimbursement of certain costs and advances (the "Disputed Costs"). The controversy
21 over the Disputed Costs involves certain loans that were secured by the Debtor from
22 Signal Funding to fund the litigation (the "Litigation Loan"). The Debtor and the Clients
23 agreed to share the obligation equally, including interest charges.

24 F. The Clients have since repaid the Litigation Loan in full, and the Disputed
25 Costs represent the Debtor's share of its obligation on the Litigation Loan.

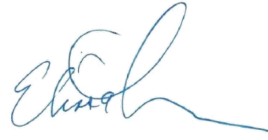
STIPULATION

In light of the foregoing, the parties stipulate as follows:

1. The Trustee, on behalf of the Debtor's estate, and the Clients, through their attorneys of record, confirm that the Clients are entitled to the distribution of the Disputed Costs; and

2. The Trustee is authorized to remit the Disputed Costs totaling \$229,663.00 to the Clients, in care of Rafey Balabanian, Edelson PC, 150 California Street, 18th Floor, San Francisco, California 94111.

IT IS SO STIPULATED.



DATED: May 11, 2021

ELISSA D. MILLER, solely in her capacity as
Chapter 7 Trustee of the Estate

DATED: May ____, 2021

EDELSON PC

By: _____

RAFEY S. BALABANIAN
Attorneys for Gabriel and Maria Abikzer

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ELISSA D. MILLER, solely in her capacity as
Chapter 7 Trustee of the Estate

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14 DATED: May ¹¹__, 2021

EDELSON PC

15
16 By: _____

Rafey Balabanian

17 RAFEY S. BALABANIAN
18 Attorneys for Gabriel and Maria Abikzer
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626.

A true and correct copy of the foregoing document entitled (*specify*): **STIPULATION AUTHORIZING THE RELEASE OF DISPUTED COSTS TO CLIENTS** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) May 12, 2021 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) May 12, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Barry Russell U.S. Bankruptcy Court Roybal Federal Building 255 E. Temple Street, Suite 1660 Los Angeles, CA 90012
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☐ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 12, 2021

Date

Gabriela Gomez-Cruz

Printed Name

/s/ Gabriela Gomez-Cruz

Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

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